

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA FLORENCE DIVISION

RANSON R. ANDERSON,

Plaintiff,

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VS.

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CIVIL ACTION NO. 4:19-cv-00846-MGL

ANDREW SAUL,

Commissioner of Social Security

Administration,

Defendant.

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ORDER ADOPTING THE REPORT AND RECOMMENDATION, REVERSING DEFENDANT'S DECISION, AND REMANDING THE CASE TO DEFENDANT FOR FURTHER ADMINISTRATIVE PROCEEDINGS

This is a Social Security appeal in which Plaintiff Ranson R. Anderson seeks judicial review of the final decision of Defendant Andrew Saul (Saul) denying his claim for disability insurance benefits. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting Saul's decision be reversed and this case be remanded for further administrative proceedings as detailed in the Report. The Magistrate Judge filed the Report in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo

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determination of those portions of the Report to which specific objection is made, and the Court may

accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or

recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on June 25, 2020, and Saul filed a reply on June 30,

2020, stating he would not be filing any objections to the Report. "[I]n the absence of a timely filed

objection, a district court need not conduct a de novo review, but instead must 'only satisfy itself

that there is no clear error on the face of the record in order to accept the recommendation."

Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ.

P. 72 advisory committee's note). Moreover, a failure to object waives appellate review. Wright

v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985).

After a thorough review of the Report and the record in this case pursuant to the standard set

forth above, the Court adopts the Report and incorporates it herein. Therefore, it is the judgment

of the Court Saul's decision is REVERSED and this case is REMANDED for further

administrative proceedings as set forth in the Report.

IT IS SO ORDERED.

Signed this 30th day of June, 2020, in Columbia, South Carolina.

/s/ Mary Geiger Lewis

MARY GEIGER LEWIS

UNITED STATES DISTRICT JUDGE

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